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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Appl. No.: 09/855,342

Confirmation No.: 8842

Applicant(s): Caligiuri *et al.*

Filed: May 14, 2001

Art Unit: 1642

Examiner: Stephen L. Rawlings

Title: METHODS OF THERAPY FOR CANCERS CHARACTERIZED BY
OVEREXPRESSION OF THE HER2 RECEPTOR PROTEIN

Docket No.: 035784/209112 (5784-50)

Customer No.: 00826

OFFICIAL

July 7, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

Responsive to the Notice of Non-Compliant Amendment dated June 8, 2004, in the above-identified application, Applicants provide herewith a resubmission of the "Amendments to the Claims" section that was originally submitted in the Amendment filed September 15, 2003, in response to the Office Action dated March 14, 2003. The Examiner is respectfully requested to enter these amendments to the claims into the above-identified application.

P.O. NOT
ENTER
SP 9/23/04

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper.

Remarks begin on page 12 of this paper.

R1(A01/2156033v)